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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,765	02/13/2001	Kelli Hodge Kennedy	10005680-1	9673

7590 10/12/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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Fort Collins, CO 80527-2400

EXAMINER

BACKER, FIRMIN

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 10/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,765

Applicant(s)

KENNEDY ET AL.

Examiner

Firmin Backer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-17,19,21,23-27,29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-17,19,21,23-27,29 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Amendment

This is in response to an amendment file on July 19th, 2004. In the amendment, claims 1, 9, 10, 19, 26 and 27 have been amended, claims 8, 18, 20 and 28 have been canceled, and no claim has been added. Claims 1, 3-7, 9-17, 19, 21, 23-27, 29 and 30 remain pending in the letter.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-7, 9-17, 19, 21, 23-27, 29 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Griggs (U.S. PG Pub No. 2002/0029384) in view of Sako et al (U.S. PG Pub No. 2002/0128936)

3. As per claims 1, 9, 10, 19, Griggs teaches a method of distributing a document of a user comprising, receiving a distribution request of the document for the user, compiling a list of distribution options for the document based on the document distribution service of the document providers and presenting the list of the distribution options for the document to the user (*see abstract, fig 1A-9, column 0037, 0040, 0043, 0048, 0049*). Griggs fails to teach an inventive concept of registering document distribution request service of a plurality of document distribution providers. However, Sako et al teach registering document distribution request

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service of a plurality of document distribution providers (*see paragraph 0036*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the inventive concept of Griggs to include Sako et al's registering document distribution request service of a plurality of document distribution providers because this would have facilitate content distribution to user.

4. As per claims 3-7, 11-17, 21 and 23-27 and 30, they disclose the same inventive concept as claims 1, 9, 10 and 19. Therefore, they are rejected under the same rationale.

Response to Arguments

5. Applicant's arguments filed July 19th, 2004 have been fully considered but they are not persuasive.

a. Applicant argues that the prior art fail to teach an inventive concept of a method of distributing a document of a user, a computer-readable medium having a computer-executable instruction for performing a method for distributing a document of a user and a method of managing document distributing services of a plurality of document...

Examiner respectfully disagrees with Applicant's characterization of the prior art. Griggs teach an inventive concept for providing the distribution of content data. Griggs further teach that the content data comprises program data from one or more content providers (*user*). The programs can scheduled programs and/or stored video programs. The content data is preferably distributed to user locations as data transmissions which can be played

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or viewed at user locations. The program transmissions are preferably transmitted to the user locations by a system network or, alternately, can be selectively broadcast by wireless means to user locations. Griggs invention provides an architecture for distributing content data, in accordance with an embodiment of the invention. The architecture preferably has central network. The central network can be either a private or public access network, such as the internet. A system server is coupled to at least one content provider through the network. In the architecture a user can access their account at the server via the network from a device, which is also configured to receive program transmissions. Alternatively, the user can access their account at the server from a separate device (not shown). Preferably the user can change preferences and or select a programs by from their personal account. Preferably, the system server instructs the content provider via the network to route a program transmission to the device (*see summary of the invention and fig 1*).

Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

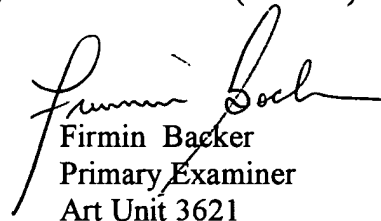
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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Firmin Backer
Primary Examiner
Art Unit 3621

October 6, 2004